

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL 2327</b>
<b>THIS DOCUMENT RELATES TO:</b>  <i>Jacinta Leavitt and Paul Leavitt v. Ethicon, Inc. and Johnson &amp; Johnson</i> <b>Case No. 2:14-cv-01655</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

**PARTIES' JOINT DESIGNATION OF NON-PTO FILINGS FROM 2:12-MD-2327<sup>1</sup>**

Plaintiffs and Defendants, by and through their respective counsel, designate the following non-PTO filings from 2:12-MD-2327 for transmission to the transferor court in the above-referenced action:

<b>Docket No.</b>	<b>Filed By</b>	<b>Title</b>	<b>Date</b>
238	Plaintiff	First Amended Master Long Form Complaint and Jury Demand	8/31/12
239	Defendant	Master Answer and Jury Demand of Defendant Ethicon, Inc. to First Amended Master Complaint	8/31/12
241	Defendant	Master Answer and Jury Demand of Defendant Johnson & Johnson to First Amended Master Complaint	8/31/12
262	Plaintiffs	Short Form Complaint	9/26/2012

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<sup>1</sup> Defendants' position is that the Daubert Orders included in this document may be considered by the remand Court, but that these Orders have not been adopted in this case. Plaintiffs' position is that the General Daubert Motions in this case are substantively identical to previously filed motions that have already been ruled on by the remanding court and, therefore, have already been substantively ruled on prior to transfer as reflected in the Daubert Orders in this document. The Parties further agree and stipulate that, subject to the Court's approval, any party who believes a relevant document was inadvertently not included in the below list or later determines a document is relevant to make a complete remand record, may supplement this joint designation without requesting a hearing on a motion to supplement.

263	Plaintiffs	Amended Short Form Complaint	9/26/2012
2047	Defendants	Defendants' Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	4/21/2016
2049	Defendants	Memorandum in Support of Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	4/21/2016
2163	Plaintiffs	Memorandum in Opposition to Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	5/9/2016
2241	Defendants	Reply to Memorandum in Opposition to Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	5/16/2016
2668	Court	Opinion and Order addressing Ethicon's Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	8/26/2016
2817	Defendants	Defendants' Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	9/19/2016
2818	Defendants	Memorandum in Support of Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	9/19/2016
2931	Plaintiffs	Memorandum by Certain Plaintiffs in Wave 3 Cases in opposition to [2817] Motion by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson to Exclude Certain General Opinions of Bruce Rosenzweig, M.D. in Certain Wave 3 Cases	10/11/2016
3024	Defendants	Reply Brief in Support of Defendants' Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	10/20/2016
5332	Defendants	Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	3/7/2018
5333	Defendants	Memorandum in Support of Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D. [and incorporating by reference Ethicon's brief from Wave 3 [Doc. 2818]]	3/7/2018
5482	Plaintiffs	Response Memorandum in Opposition to Defendants' Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	3/21/2018
5548	Defendants	Reply Brief in Support of Defendants' Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	3/28/2018

8776	Defendants	Notice of Adoption of Prior Daubert Motion to Exclude Certain General Opinions of Bruce Rosenzweig, M.D. for Wave 12 by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson re: [5548] Reply to Response, [5333] Memorandum In Support, [5332] Motion by Ethicon, Inc., Johnson & Johnson to Exclude Certain General Opinions of Bruce Rosenzweig, M.D.	11/1/2019
8858	Plaintiffs	Notice of Adoption of Prior Daubert Response of Bruce Rosenzweig, MD for Wave 12 by All Plaintiffs re: [5482] Memorandum In Opposition	11/12/2019
1977	Defendants	Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	4/20/2016
1981	Defendants	Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	4/20/2016
2100	Defendants	Motion to Substitute Amended Exhibit A to Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	4/25/2016
2164	Plaintiffs	Response in Opposition to Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	5/9/2016
2210	Defendants	Reply to Response in Opposition to Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	5/15/2016
2698	Court	Opinion and Order addressing Ethicon's Motion to the Opinions and Testimony of Scott A. Guelcher, Ph.D.	8/31/2016
4573	Defendants	Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	8/31/2017
4574	Defendants	Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	8/31/2017
4675	Plaintiffs	Plaintiffs' Memorandum in Opposition to Defendants' Motion to Exclude the Wave 5 Testimony of Dr. Scott A. Guelcher, Ph.D.	9/14/2017
4692	Defendants	Reply in Support of Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.	9/21/2017

8790	Defendants	Notice of Adoption of Prior Daubert Motion of Scott A. Guelcher, Ph.D. for Wave 12 by Ethicon, Inc., Johnson & Johnson re: [4573] Motion by Ethicon, Inc., Johnson & Johnson to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D., [4574] Memorandum of Law in Support, and [4692] Ethicon's Reply	11/4/2019
8839	Plaintiffs	Notice of Adoption of Prior Daubert Response of Scott Guelcher, MD for Wave 12 by All Plaintiffs re: [4675] Memorandum In Opposition	11/12/2019
2066	Defendants	Motion to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	4/21/2016
2070	Defendants	Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	4/21/2016
2185	Plaintiffs	Response in Opposition to Motion to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	5/9/2016
2251	Defendants	Reply to Response in Opposition to Motion to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	5/16/2016
2710	Court	Opinion and Order addressing Ethicon's Motion to Exclude the Opinions and Testimony of Dr. Vladirmir Iakovlev	9/1/2016
3790	Plaintiffs	Response in Opposition to Defendant Ethicon's Motion to Exclude the Opinions and Testimony of Vladimir Iakovlev, M.D.	4/27/2017
8804	Defendants	Motion by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	11/4/2019
8805	Defendants	Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	11/4/2019
8829	Defendants	Exhibits by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson in support of [8804] Motion by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson to Exclude the Opinions and Testimony of Dr. Vladimir Iakovlev	11/12/2019
8865	Plaintiffs	Notice of Adoption of Prior Daubert Response of Vladimir Iakovlev, MD for Wave 12 by All Plaintiffs re: [3790] Response In Opposition	11/13/2019
1996	Defendants	Motion to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D.	4/21/2016

1997	Defendants	Memorandum in Support of Motion to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D.	4/21/2016
2167	Plaintiffs	Memorandum in Opposition to Motion to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D.	5/9/2016
2222	Defendants	Reply to Response in Opposition to Motion to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D.	5/16/2016
2683	Court	Opinion and Order addressing Ethicon's Motion to Exclude General Causation Testimony of Donald R. Ostergard, M.D.	8/30/2016
2814	Defendants	Motion to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D.	9/19/2016
2816	Defendants	Memorandum in Support of Motion to Exclude or Limit General-Causation Testimony of Donald R. Ostergard, M.D.	9/19/2016
2950	Plaintiffs	Response to Defendants' Motion to Exclude Testimony of Donald Ostergard, M.D.	10/11/2016
3011	Defendants	Reply in Support of Motion to Exclude General-Causation Testimony of Donald R. Ostergard, M.D.	10/20/2016
8769	Defendants	Notice of Adoption by Ethicon, Inc., Johnson & Johnson re: [3011] Reply to Response, [2816] Memorandum In Support, [2814] Motion by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson to Exclude the General-Causation Testimony of Donald R. Ostergard, M.D. in Certain Wave 3 Cases	11/1/2019
8851	Plaintiffs	Notice of Adoption of Prior Daubert Response of Donald R. Ostergard, MD for Wave 12 by All Plaintiffs re: [2950] Response In Opposition	11/12/2019
2075	Defendants	Motion to Exclude Peggy Pence, Ph.D.	4/21/2016
2078	Defendants	Memorandum in Support of Motion to Exclude Peggy Pence, Ph.D.	4/21/2016
2172	Plaintiffs	Memorandum in Opposition to Motion to Exclude Peggy Pence, Ph.D.	5/9/2016
2214	Defendants	Reply to Memorandum in Opposition to Motion to Exclude Peggy Pence, Ph.D.	5/16/2016
2664	Court	Opinion and Order addressing Ethicon's Motion to Exclude Peggy Pence, Ph.D.	8/25/2016
2759	Defendants	Motion to Exclude Peggy Pence, Ph.D.	9/16/2016
2760	Defendants	Memorandum in Support of Motion to Exclude Peggy Pence, Ph.D.	9/16/2016

2949	Plaintiffs	Response in Opposition to Defendants' Motion to Exclude Peggy Pence, Ph.D.	10/11/2016
3017	Defendants	Reply in Support of Motion to Exclude Peggy Pence, Ph.D.	10/20/2016
8807	Defendants	Notice of Adoption of Prior Daubert Motion to Exclude to Peggy Pence, M.D. for Wave 12 by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson re: [3017] Reply to Response, [2760] Memorandum In Support, [2759] Motion by Ethicon, Inc., Ethicon, LLC, Johnson & Johnson to Exclude Peggy Pence, Ph.D. in Certain Wave 3 Cases	11/4/2019
8855	Plaintiffs	Notice of Adoption of Prior Daubert Response of Peggy Pence, PhD for Wave 12 by All Plaintiffs re: [2949] Response In Opposition,	11/12/2019
4877	Plaintiffs	Plaintiffs' Motion to Exclude or Otherwise Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	10/23/2017
4878	Plaintiffs	Memorandum in Support of Plaintiffs' Motion to Exclude or Otherwise Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	10/23/2017
4945	Defendants	Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion to Exclude or Otherwise Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	11/6/2017
8559	Plaintiffs	Motion by All Parties to Exclude or Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	8/15/2019
8560	Plaintiffs	Memorandum in Support of Plaintiffs' Motion to Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	8/15/2019
8654	Defendants	Response by Ethicon, Inc., Johnson & Johnson in opposition to [8559] Motion by Certain Plaintiffs to Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D.	8/29/2019
8728	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Lawrence Lind, MD for Wave 12 by All Plaintiffs re: [8559] Motion by Certain Plaintiffs to Limit the Opinions and Testimony of Defense Expert Lawrence Lind, M.D., [8560] Memorandum In Support, [4878] Memorandum In Support, [4877] Motion by Certain Plaintiffs to Exclude or Otherwise Limit the Opinions and Testimony of Defense Expert Lawrence, M.D.	10/29/2019

8881	Defendants	Defendants' Notice of Adoption of Prior Responses in Waves 6 [4945] and 11 [8654] for Defense Expert Lawrence Lind, M.D. (Wave 12)	11/13/2019
2044	Plaintiffs	Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach	4/21/2016
2045	Plaintiffs	Memorandum in Support of Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach	4/21/2016
2183	Defendants	Memorandum in Opposition to Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach	5/9/2016
2235	Plaintiffs	Plaintiffs' Reply Memorandum in Support of Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach	5/16/2016
2714	Court	Opinion and Order addressing Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach, M.D.	9/1/2016
2907	Defendants	Memorandum in Response to Plaintiffs' Motion to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach	10/10/2016
8719	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Nicolette Horbach, MD for Wave 12 by All Plaintiffs re: [2044] Motion by Certain Plaintiffs in Wave 1 Cases to Exclude or Limit the Opinions and Testimony of Dr. Nicolette Sigrid Horbach, M.D., [2045] Memorandum In Support, [2235] Reply to Response	10/28/2019
8830	Defendants	Ethicon Defendants' Notice Of Adoption Of Wave 3 Daubert Response [2907] Regarding Nicolette Sigrid Horbach, M.D., For Wave 12	11/12/2019
2425	Plaintiffs	Plaintiffs' Motion to Limit the Opinions and Testimony of Peter L. Rosenblatt	7/21/2016
2428	Plaintiffs	Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion to Limit the Opinions and Testimony of Peter L. Rosenblatt	7/21/2016
2535	Defendants	Ethicon's Memorandum in Opposition to Plaintiffs' Motion to Limit the Opinions and Testimony of Peter L. Rosenblatt, M.D.	8/8/2016
2625	Plaintiffs	Reply in Support of Plaintiffs' Motion to Limit the Opinions and Testimony of Dr. Peter L. Rosenblatt	8/18/2016



3553	Court	Opinion and Order addressing Plaintiffs' Motion to Limit the Opinions and Testimony of Dr. Peter L. Rosenblatt	3/29/2017
8739	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Peter Rosenblatt, MD for Wave 12 by All Plaintiffs re: [2428] Memorandum In Support, [2625] Reply to Response, [2425] Motion by Certain Plaintiffs in Wave 2 Cases to Limit the Opinions and Testimony of Dr. Peter L. Rosenblatt	10/29/2019
8893	Defendants	Notice of Adoption of Prior Daubert Response [2535] Regarding Peter Rosenblatt, M.D. for Wave 12	11/14/2019
1986	Plaintiffs	Plaintiffs' Amended Motion to Exclude the Opinions and Testimony of Thomas C. Wright, Jr., M.D.	4/20/2016
1988	Plaintiffs	Plaintiffs' Amended Memorandum in Support of Their Motion to Exclude the Opinions and Testimony of Thomas C. Wright, Jr., M.D.	4/20/2016
2143	Defendants	Response to Plaintiffs' Amended Motion to Exclude the Opinions and Testimony of Thomas C. Wright, Jr., M.D.	5/9/2016
2661	Court	Opinion and Order addressing Plaintiffs' Motion to Exclude the Opinions and Testimony of Thomas C. Wright, Jr., M.D.	8/25/2016
3844	Plaintiffs	Reply to Notice of Adoption of Prior Daubert Response of Thomas C. Wright Jr., M.D. for Wave 4	5/4/2017
8760	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Thomas C. Wright, MD for Wave 12 by All Plaintiffs re: [3844] Reply to Response, [1988] Memorandum In Support, [1986] Amended Motion by Certain Plaintiffs in Wave 1 Cases to Exclude the Opinions and Testimony of Thomas C. Wright, Jr., M.D.	10/29/2019
8840	Defendants	Notice of Adoption of Prior Daubert Response Regarding Thomas C. Wright, Jr., M.D. for Wave 12 by Ethicon, Inc., Johnson & Johnson re: [2143] Response In Opposition	11/12/2019
2205	Plaintiffs	Plaintiffs' Daubert Motion to Exclude, or in the Alternative, to Limit the Opinions and Testimony of Steven Maclean, Ph.D.	5/14/2016



2206	Plaintiffs	Plaintiffs' Memorandum in Support of Plaintiffs' Daubert Motion to Exclude, or in the Alternative, to Limit the Opinions and Testimony of Steven Maclean, Ph.D.	5/14/2016
2287	Defendants	Defendants' Response in Opposition to Plaintiffs' Motion to Exclude the Opinions and Testimony of Defendant Ethicon, Inc. and Johnson & Johnson's Expert Steven Maclean, Ph.D., P.E.	5/31/2016
2297	Plaintiffs	Plaintiffs' Reply to Defendants' Response in Opposition to Plaintiffs' Daubert Motion to Exclude on Limit the Opinions and Testimony of Steven Maclean, Ph.D., P.E.	6/8/2016
2552	Defendants	Defendants' Response in Opposition to Plaintiffs' Motion to Exclude the Opinions and Testimony of Defendant Ethicon, Inc. and Johnson & Johnson's Expert Steven Maclean, Ph.D., P.E.	8/8/2016
2724	Court	Opinion and Order addressing Plaintiffs' Motion to Exclude or, in the Alternative, to Limit the Opinions and Testimony of Steven MacLean, Ph.D., P.E.	9/2/2016
2825	Plaintiffs	Plaintiffs' Daubert Motion to Exclude or to Limit the Opinions and Testimony of Steven Maclean, Ph.D.	9/19/2016
2826	Plaintiffs	Plaintiffs' Memorandum in Support of Their Motion to Exclude or to Limit the Opinions and Testimony of Steven Maclean, Ph.D.	9/19/2016
2942	Defendants	Defendants' Response in Opposition to Plaintiffs' Motion to Exclude the Opinions and Testimony of Defendant Ethicon, Inc. and Johnson & Johnson's Expert Steven Maclean, Ph.D., P.E.	10/11/2016
3053	Plaintiffs	Plaintiffs' Reply in Support of Daubert Motion to Exclude on Limit the Opinions and Testimony of Steven Maclean, Ph.D., P.E.	10/21/2016
8731	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Steven MacLean, Ph.D., P.E. for Wave 12 by All Plaintiffs re: [2205] Daubert Motion by Certain Plaintiffs in Wave 1 Cases to Exclude or, in the Alternative, to Limit the Opinions and Testimony of Steven MacLean, Ph.D., P.E., [2826] Memorandum In Support, [3053] Reply to Response, [2825] Daubert Motion by Certain Plaintiffs in Wave 3 Cases to Exclude Or To Limit The Opinions And Testimony Of	10/29/2019

		Steven Maclean, Ph.D., P.E., [2297] Reply to Response, [2206] Memorandum In Support	
8832	Defendants	Notice of Adoption of Prior Daubert Response Regarding Steven MacLean, M.D. for Wave 12 by Ethicon, Inc., Johnson & Johnson re: [2942] Response In Opposition, [2287] Response In Opposition	11/12/2019
2060	Plaintiffs	Plaintiffs' Daubert Motion to Exclude the Opinions of FDA Expert Timothy Ulatowski	4/21/2016
2065	Plaintiffs	Plaintiffs' Memorandum in Support of Their Daubert Motion to Exclude the Opinions of FDA Expert Timothy Ulatowski	4/21/2016
2134	Defendants	Response in Opposition to Motion to Exclude Timothy Ulatowski	5/7/2016
2232	Plaintiffs	Plaintiffs' Reply in Support of Their Daubert Motion to Exclude FDA Expert Timothy Ulatowski	5/16/2016
2649	Court	Opinion and Order addressing Plaintiffs' Motion to Exclude the Opinions of FDA Expert Timothy Ulatowski	8/25/2016
2910	Defendants	Supplemental Response and Notice of Adoption of Prior Daubert Response Regarding Timothy Ulatowski for Wave 3	10/10/2016
7346	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Timothy Ulatowski, M.D. for Non-Revision PTO 298 (Election Wave)	12/18/2018
8755	Plaintiffs	Notice of Adoption of Prior Daubert Motion of Timothy Ulatowski, M.S. for Wave 12 by All Plaintiffs re: [2060] Daubert Motion by Certain Plaintiffs in Wave 1 Cases to Exclude the Opinions of FDA Expert Timothy Ulatowski, [2065] Memorandum In Support, [7346] Notice of Adoption by Certain Plaintiffs of Prior Daubert Motion of Timothy Ulatowski, M.D. for Non-Revision PTO 298 re: [2060] motion, [2065] memorandum of law, [2232] Reply to Response	10/29/2019
8822	Defendants	Notice of Adoption by Ethicon, Inc., Johnson & Johnson re: [2134] Response In Opposition, [2910] Notice	11/11/2019

DATED: October 29, 2020

Stipulated and agreed:

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**CERTIFICATE OF SERVICE**

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ Susan M. Robinson

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